



United States Marshals Service *Office of Congressional Affairs*



NOMINATION PROCESS FOR U.S. MARSHALS

The U.S. Marshals Service (USMS) is the nation's oldest and most versatile federal law enforcement agency. The first 13 U.S. Marshals (USMs) were appointed by President George Washington in 1789. There are 94 USMs, each supervising a federal judicial district. Currently there are approximately 4,800 USMS employees.

All USMs, with the exception of the position in the U.S. Virgin Islands,^{*} are appointed by the President with the advice and consent of the Senate for a four-year term of service. When the term expires, the USM continues to serve until a successor is nominated, confirmed and appointed. Candidates are recommended to the President by the senior Member of Congress from the President's political party in the state where the vacancy exists.^{**} The President formally nominates an individual to the Senate for its advice and consent.

QUALIFICATION GUIDELINES FOR U.S. MARSHALS

Section 561 of Title 28, U.S. Code, lists characteristics individuals should possess to be eligible for appointment as a USM. The candidate should have college training, significant experience in the administration of justice, including four years of command-level law enforcement management duties, experience in coordinating with law enforcement agencies, and experience with local, state or federal court systems to include the protection of court personnel, jurors and witnesses. While a maximum age is not specified, the candidate must be capable of forceful and vigorous activity. Careful consideration should be given to the individual's character, reputation, professional background, and overall qualifications. Also, the candidate's reputation should be such that he or she will receive a favorable recommendation from his or her peers with respect to ability and fitness.

The Marshal is guided in the performance of his duties by USMS Policy Directives, federal, state, and local laws, court rules and procedures, departmental rules and regulations, and Office of Personnel Management regulations. Further, the USM is responsible for accounting and personnel matters pertinent to the operation of the office.

^{*} The position in the U.S. Virgin Islands is appointed by the U.S. Attorney General.

^{**} In cases where a state's entire congressional delegation is from the party opposite the President, the White House determines from whom it will seek a recommendation.

The candidate's overall record must reflect that he or she possesses the personal qualities and abilities commensurate with the duties and responsibilities of the position, as well as demonstrate success in responsible positions. These essential personal characteristics include the ability to:

- (1) Deal effectively with individuals or groups representing widely diverse backgrounds, interests, and perspectives.
- (2) Adjust priorities to meet emergency or changing program requirements.
- (3) Establish program objectives or performance goals and assess progress toward achieving them.
- (4) Represent the organization to high-ranking government and private officials.
- (5) Analyze organizational and operational problems to develop effective, timely, and economical solutions.
- (6) Coordinate and integrate the work activities of several organizational elements.
- (7) Communicate effectively, both orally and in writing.

The following are some of the more notable roles in which the candidate may have gained the necessary background for appointment as a USM:

- (1) Chief Deputy U.S. Marshal.
- (2) Command-level position in a police or sheriff's department.
- (3) Supervisory special agent in a Federal law enforcement agency.
- (4) Warden or superintendent of a correctional institution.
- (5) Other law-enforcement or management experience reflecting policy-making and decision authority.

The Marshal has frequent personal contacts with Federal judges and court officials, the U.S. Attorneys' Office, officials of Federal departments and agencies, state and local officials, and the general public which require diplomacy, courtesy, and discretion as a representative of the Attorney General and the Federal government.

JOB DESCRIPTION FOR U.S. MARSHALS

Major Duties and Responsibilities

The USM is responsible for the execution of all lawful writs, processes, and orders issued pursuant to authority of the United States delivered to him for execution, making arrests, judicial and court security, asset seizure and forfeiture management, and collecting and disbursing funds incident to the operation and function of U.S. courts, U.S. Attorneys' offices, and his own office.

A USM is also responsible for the management and direction of a USMS district office located in a federal judicial district. These districts often include large metropolitan centers, consist of people with diverse socioeconomic backgrounds, and contain a relatively high number of Federal judges and magistrates. There is a correspondingly high volume of cases, many of which are complex, unusual, and precedent setting. Some of a USM's functions include:

1. Responsibility for supporting the Federal courts.
2. Managing and directing a district office, thus allowing the district to respond expeditiously to special requirements placed on it by the courts, the Marshals Service or the Attorney General.
3. Through the Chief Deputy and/or Supervisory Deputy U.S. Marshal, the USM is responsible for protecting court personnel and jurors. The USM directs deputies in the execution and service of all writs and processes, apprehension and arrests, detention and transportation of prisoners, protection of key witnesses, seizure, management, and disposal of seized assets.
4. The USM plans and coordinates law enforcement activities with other Federal and local officials on such matters as court assignments, transportation and housing of prisoners, serving process, apprehension and arrest of criminals, and matters relating to court support.
5. The USM serves as disbursing officer of funds allocated for the Office of the U.S. Attorney, the U.S. courts, and the USMS. He or she is responsible for financial transactions related to court orders such as seizure and sale of property, collection of fees, and payment of witness and jurors.
6. The USM exercises the authority to make or cause to be made arrests without warrants for any offense against the laws of the United States.

Supervisory Responsibilities

The USM directs district operations through the Chief Deputy by providing general direction and establishing necessary internal policies.

Oversight

The USM is under the general direction of the USMS Director. The Director keeps the Marshal informed of policy and regulatory changes affecting District operations, and coordinates matters involving multiple Districts. The incumbent is further guided by Federal and local laws, court rules and procedures, Department of Justice and USMS regulations, and other guidelines that are applicable to the operational and administrative functions of the District Office.

Salary

Most USMs enter at the GS-15 level. USMs start at a base (in 2009) of \$98,156, to which is added locality pay. USMs may advance to Step 10 after six months in the position. The GS-15, Step 10 rate is \$127,604 (in 2009), to which is also added locality pay. There are 32 locality pay areas nationwide that adjust salaries from 14.23% to 34.35%.

There are 36 Senior Level Marshal positions at the larger, more complex USMS Districts across the nation. Their salary ranges from \$117,787 (in 2009), to which is added locality pay. Advancement through the Senior Level pay range is based on successful performance as USM for one year. The Deputy Attorney General is authorized to approve this pay increase. Senior Level Marshals may be paid up to the equivalent of the GS-15, Step 10 or the minimum Senior Level base pay plus locality, whichever is greater.

SENIOR LEVEL USMS DISTRICTS

Arizona	Northern Georgia	Southern New York
Central California	Northern Illinois	Northern Ohio
Eastern California	Maryland	Southern Ohio
Northern California	Massachusetts	Oregon
Southern California	Eastern Michigan	Eastern Pennsylvania
DC Superior Court	Minnesota	Middle Pennsylvania
District of Columbia	Eastern Missouri	Puerto Rico
Colorado	Nevada	South Carolina
Middle Florida	New Jersey	Eastern Texas
Northern Florida	New Mexico	Northern Texas
Southern Florida	Eastern New York	Southern Texas
Western Texas	Eastern Virginia	Western Washington